

IN THE UNITED STATES
District Court For The Northern
District of Illinois

Banks vs ~~Arch~~ Superintendent of EMHC
FILED

7-8-08

JN

JUL 14 2008
Jul 14, 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

Civil No. 08cv2468

Judge Gibbons

NOTICE OF FILING

PLEASE TAKE NOTICE the PETITIONER has
cause to be SERVED on the CLERK OF THE
United States District Court, A MOTION FOR RELIEF
From JUDGMENT ON ORDER pursuant to Rule 60(b)
(a),(5),(6).....

CERTIFICATE OF SERVICE

PLEASE TAKE NOTICE the PETITIONER has
cause to be SERVED on the CLERK OF THE UNITED
STATES DISTRICT COURT, A MOTION FOR RELIEF
FROM JUDGMENT ON ORDER pursuant to Rule 60(b)
(a),(5),(6). The PETITIONER SENT THE MOTION FROM
Lehman Drive P.O. Box 81 CHESTER IL 62233

RESPECTFULLY SUBMITTED
Farley M. Banks, Inc



IN The UNITED STATES DISTRICT COURT
For The Northern District
OF Illinois.

7-8-08

Banks VS Abraham

FILED

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MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

Civil No. 08 cv 2468

MOTION FOR RELIEF FROM JUDGMENT
OR ORDER, PURSUANT TO RULE 60(b)(2), (5), (6)

NOW COMES, PETITIONER IN WANT OF COUNSEL
AND MOVES THE COURT FOR A MOTION FOR RELIEF
FROM JUDGMENT OR ORDER, PURSUANT TO RULE 60(b)
(2), (5), (6).

STATEMENT OF CASE

THE PETITIONER FILED A WRIT OF HABEAS CORPUS
PURSUANT TO 28 U.S.C. 2241(c)(3) WITH THE FEDERAL
FORUM DUE TO THE FACILITY THE PETITIONER WAS
IN (S) IT LACKED A CONSTITUTIONAL, ACCEPTABLE
LIBRARY, AND A CONSTITUTIONAL, ACCEPTABLE
ALTERNATIVE MEANS FOR THE PETITIONER TO REDRESS
HIMSELF TO THE COURT. THE PETITIONER WAS IN
WANT OF COUNSEL, DUE TO THE PROCEDURAL DUE
PROCESS, WHICH THE D.H.S. (DEPARTMENT OF
HUMAN SERVICES) DENYS SUCH PRE-TRIAL DETAINCE'S
TO ATTACK A JUDGMENT OF THE STATE TRIAL

Court. THE PETITIONER WAS TRANSFERRED to "CHESTER MENTAL Health CENTER" WHERE THERE'S NO Constitutional acceptable "law library" nor no constitutional Alternative Means For A PRE-Trial Detainee to Redress themselves to the court. THE PETITIONER WAS AND IS STILL BEING PREJUDICE, BY SUCH ACTION(S) OF THE "State facility." THE PETITIONER HAS GIVEN WRITTEN NOTICE TO THE ADMINISTRATION. THE PETITIONER STATES THE CONDITIONS OF CONFINEMENT IN D.H.S CUSTODY DENIES THE PRIVILEGES, WHICH THE UNITED STATES CONSTITUTION AFFORDS TO CITIZENS AND NON-CITIZENS. THE PETITIONER HAS FILED A CIVIL SUIT PURSUANT TO TITLE 28 U.S.C. §1983 IT BEFORE THE HONORABLE JUDGE DOW.

THE PETITIONER STATES HE EXHAUSTED THE REQUIREMENT, SEE: SPENCER VS MURRAY 18 F.3d 231, 239 (4th Cir 1994); To satisfy the EXHAUSTION REQUIREMENT A HABEAS PETITIONER MUST FAIRLY PRESENT HIS CLAIMS TO THE STATE'S HIGHEST COURT. THE PETITIONER SUBMITTED A WRIT OF HABEAS CORPUS TO THE HIGHEST COURT, AND IT WAS DENIED, WITHOUT OPINION. SEE ATTACHMENT WHICH WERE DENIED... BASSETTE VS THOMPSON 915 F.2d 932, 937 (4th Cir 1990); 499 U.S. 982, 111 Sct 1639, 113 L Ed 2d 734 (1991)

NEWLY DISCOVERED Evidence

THE PETITIONER STATES THE "STATE ACTORS" HAVE TAKEN THE ORIGINAL AFFIDAVIT OF PROBABLE CAUSE OUT OF THE PUBLIC RECORDS, AND HAVE CHARGE THE PETITIONER WITH CHARGES WHICH DOESN'T REFLECT THE ORIGINAL PRELIMINARY TRANSCRIPT OF 11-6-06. THE PETITIONER STATE "HE" ORDER TWO COPIES OF THE RECORDS CERTIFIED, AND THE CLERK DEANNE BARNES ORDER THE RECORDS, AND THE DOCUMENT, WHERE MISSING, THE PETITIONER CALLED 181, 51 WEST MARTH CHICAGO, IL 60601, THE CLERK MR SIMMON INFORMED THE PETITIONER HE WOULD ORDER A COPY OF THE DEED FILE NO: 06M114309901. THE PETITIONER CALLED THE CLERK, AND HE TOLD THE PETITIONER THE CASE WAS NAMED PROSEQUI, DISMISSED. THE CASE WERE 720 ILCS 5/12-4(a) AGGRAVATED BATTERY, 625-5.0/10-2, 9-36-030, 625-5.0/3-707 ONE OF THE CASE WERE NON SUIT.

THE PETITIONER STATES THE ATTORNEY WHO REPRESENTED THE PETITIONER WAS FORCED ON THE PETITIONER TO GIVE THE COURTS JURISDICTION, THIS CAUSE IRREPARABLE INJURIES, WHICH CAN NOT BE REPAIRED, DUE TO THIS THE ATTORNEY CAN ONLY ALLEGIDRIAN WAIVE THE PETITIONER RIGHTS TO CHALLENGE THE CHARGE INSTRUMENT, BY FILING A MOTION TO QUASH ARREST, AND SUPPRESS EVIDENCE.

THE PETITIONER STATES HE'S A 31 year old without any Legal Training, and is in want of Counsel, due To the Facility lacking A Constitutional Law LIBRARY or A constitution AL ALTERNATIVE MEANS for one to REDRESS himself to the court.

THE PETITIONER STATES their's Numerous Amount of Evidence to Set Forth to the court, But the Facility want Allow the Petitioner the Right to Seal Copies, and the Right to Seal case Law to Seal forth his Agreement.

Conditions of Confinement

THE PETITIONER STATES(S) the Facility doesn't have A Constitutional Acceptable Law LIBRARY or a Constitutional Acceptable Alternative Means for A pre-Trial Detainee to Relies himself to the court. The Petitioner is in a MENTAL institutions, and Being Enforced to medicat, on, with a court-order for the date of 6-7-08 7-8-08, the Facility says the Petitioner is Declinational, because of the Request for Materials which the Facility doesn't have For pre-Trial Detainee's, this Leaves the pre-Trial Detainee's helpless without NO Forum to ADDRESS Civil Rights Violations, Such as the 28 U.S.C. § 2241(c)(3) or 42 U.S.C. § 1983.

THE Petitioner prays the court will grant the Petition, because the petitioner case raise "Special circumstances, For one (1) the prosecutor has committed A Criminal offense By Removal Document from the Petitioner Case. (2) The petitioner has suffered irreparable injuries that amount to Equitable Relief. (3) The Court lack Jurisdiction To Hear the case Before the Honorable Judge ADAM BOURGEOIS Violated the petitioner's Rights to proceed pro-se. (4) Sixth Amendment Rights Amount to irreparable Damages, and the No Repairing Such Damages. (5) The petitioner has Exhausted State Remedies, To Satisfy Exhaustion Requirement, Habeas petitioner must Fairly present claim to State's highest Court. 28 U.S.C. §2254(b, c). (6) The Statute 28 U.S.C. §2241(c) DEALS with a state pre-trial Detainee taking his illegal Detainment in the State Custody, by way of Statute, Constitutional Violation or Violation of A Treaty, in the petitioner case the "State Actors" have Violated petitioner 4th 6th 8th 14th Amendment Rights, and this has cause irreparable injuries, and the "State Actors" Can-not Repair Such Damages they have Done to Violated the petitioner Constitutional Rights.

Due to THE D.H.S. Denying the Detainee's to Redress themselves, the Detainee is Being

DENIED EQUAL PROTECTION OF THE LAW, AND
 CAN-NOT GET A FAIR CHANCE TO REDRESS
 HIMSELF, AND THIS CAUSE irreparable INJURIES
 WHICH AMOUNT TO EQUITABLE RELIEF, FOR THE
 COURT TO GRANT AND PRELIMINARY INJUNCTION
 PURSUANT TO 28 U.S.C. §2283. THE PETITIONER DOESN'T
 HAVE ANY LEGAL MATERIAL TO REDRESS HIMSELF,
 IN THE TWO CASE BEFORE THE "FEDERAL FORUM"
 07CV5684 & 07CV0784 THE COURT HAVE APPOINTED
 PRO-BONO COUNSEL TO ASSIST IN THE SAME
 ISSUE(S) WHICH IT HAVE ADDRESS IN THE WRIT
 OF HABEAS CORPUS 28 U.S.C. §2241(c)(3)

STAY PROCEEDING PENDING
 UNCONSTITUTIONAL CONDITIONS OF CONFINEMENT.

THE PETITIONER普AYS THE COURT CORRECT
 THE JUDGMENT ENTERED, AND STAY PROCEEDINGS
 PENDING UNCONSTITUTIONAL CONDITIONS OF
 CONFINEMENT. THE PETITIONER STAYS WITH AN
 ATTORNEY OR LEGAL BOOKS OR NEXUS LEXUS,
 AND WEST LAW, THE DETAINEE IS HELPLESS, AND
 IF SUCH APPEAL WAS ACCEPTED BY THE SEVENTH
 CIRCUIT THE PETITIONER WOULDN'T BE AFFORDED
 EQUAL PROTECTION OF LAW, BECAUSE THE FACILITY
 DENYS THE DETAINEE'S THE RIGHT TO REDRESS THE
 COURT.

RESPECTFULLY SUBMITTED
 Gary M. Rubs, inc